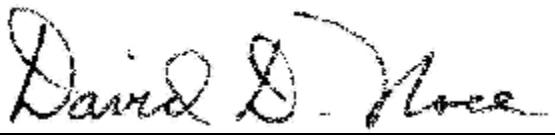


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ARCHIE ERWIN HORTON,)
)
)
Plaintiff,)
)
)
v.) No. 4:05 CV 65 DDN
)
)
HUSSMAN/INGERSOLL-RAND CO.,)
and)
ASET CORPORATION,)
)
Defendants.)

ORDER

IT IS HEREBY ORDERED that the motion of plaintiff (Doc. 35) for leave to file his first amended complaint is sustained. The motion was filed within the time set by the court's current case management order. The argument of original defendant Hussmann Corporation that the plaintiff's claim against added defendant Aset Corporation does not state a claim upon which relief can be granted is better decided on a motion to dismiss in which Aset Corporation is involved.



DAVID D. NOCE
UNITED STATES MAGISTRATE JUDGE

Signed on July 19, 2006.